

Exhibit 1

Sainati, Tatiana

From: Anthony.Candido@CliffordChance.com
Sent: Monday, September 16, 2019 11:24 AM
To: Williams, Gregory
Cc: Michael.Lightfoot@CliffordChance.com; Sainati, Tatiana
Subject: RE: [EXT] Re: ICC Case No. 24343/HTG - NSC Investment, LLC and TGC/Korea Operating, LLC v/ POSCO Engineering & Construction Co., Ltd. [BKL.REF.33240]

Greg,

Are you available later this afternoon to discuss? We are generally available after 1.

Best,

Tony

From: Williams, Gregory <GWilliams@wileyrein.com>
Sent: Monday, September 16, 2019 10:50 AM
To: Candido, Anthony (Litigation-NY) <Anthony.Candido@CliffordChance.com>
Cc: Lightfoot, Michael (L&DR-NY) <Michael.Lightfoot@CliffordChance.com>; Sainati, Tatiana <TSainati@wileyrein.com>
Subject: RE: [EXT] Re: ICC Case No. 24343/HTG - NSC Investment, LLC and TGC/Korea Operating, LLC v/ POSCO Engineering & Construction Co., Ltd. [BKL.REF.33240]

Tony and Michael,

I am not certain whether my communications with BKL regarding the SDNY case prior to your retention have been conveyed to you. If POSCO agrees both that the current claims in the ICC proceeding are subject to arbitration and that neither party will seek to resolve any disputes with respect to the parties' rights or obligations under the Unit Pledge Agreement outside of the ICC proceeding, we may be able to dismiss the SDNY action. Please let me know if you would like to discuss.

Best regards,

Greg

From: Anthony.Candido@CliffordChance.com <Anthony.Candido@CliffordChance.com>
Sent: Friday, August 30, 2019 4:26 PM
To: Williams, Gregory <GWilliams@wileyrein.com>
Cc: Michael.Lightfoot@CliffordChance.com; Sainati, Tatiana <TSainati@wileyrein.com>
Subject: Re: [EXT] Re: ICC Case No. 24343/HTG - NSC Investment, LLC and TGC/Korea Operating, LLC v/ POSCO Engineering & Construction Co., Ltd. [BKL.REF.33240]

Yes, of course, we've agreed on that. Let's discuss the best way to communicate that to the Court after the long weekend.

Best

Tony

On Aug 30, 2019, at 4:18 PM, Williams, Gregory <GWilliams@wileyrein.com> wrote:

Tony and Michael, I wanted to touch base. We had discussed POSCO accepting serve as of August 23rd.

Thanks,

Greg

From: Williams, Gregory <GWilliams@wileyrein.com>
Sent: Wednesday, July 17, 2019 11:30 AM
To: Anthony.Candido@CliffordChance.com
Cc: Michael.Lightfoot@CliffordChance.com; Sainati, Tatiana <TSainati@wileyrein.com>
Subject: RE: [EXT] Re: ICC Case No. 24343/HTG - NSC Investment, LLC and TGC/Korea Operating, LLC v/ POSCO Engineering & Construction Co., Ltd. [BKL.REF.33240]

Tony and Michael, nice to meet you electronically. I am sure that you have both of the attached already. But for good measure, here are the amended complaint and required form.

I provide them as a courtesy (not, for example, to establish a relevant deadline.) We understand that POSCO is only accepting service as of a future date (likely August 23rd).

Thanks,

Greg

From: Williams, Gregory
Sent: Tuesday, July 16, 2019 4:14 PM
To: 'Anthony.Candido@CliffordChance.com' <Anthony.Candido@CliffordChance.com>
Cc: Michael.Lightfoot@CliffordChance.com; Sainati, Tatiana <TSainati@wileyrein.com>
Subject: RE: [EXT] Re: ICC Case No. 24343/HTG - NSC Investment, LLC and TGC/Korea Operating, LLC v/ POSCO Engineering & Construction Co., Ltd. [BKL.REF.33240]

Sounds good

From: Anthony.Candido@CliffordChance.com <Anthony.Candido@CliffordChance.com>
Sent: Tuesday, July 16, 2019 3:52 PM
To: Williams, Gregory <GWilliams@wileyrein.com>
Cc: Michael.Lightfoot@CliffordChance.com; Sainati, Tatiana <TSainati@wileyrein.com>
Subject: RE: [EXT] Re: ICC Case No. 24343/HTG - NSC Investment, LLC and TGC/Korea Operating, LLC v/ POSCO Engineering & Construction Co., Ltd. [BKL.REF.33240]

Perfect. We'll call over then.

From: Williams, Gregory <GWilliams@wileyrein.com>
Sent: Tuesday, July 16, 2019 3:50 PM
To: Candido, Anthony (Litigation-NY) <Anthony.Candido@CliffordChance.com>
Cc: Lightfoot, Michael (L&DR-NY) <Michael.Lightfoot@CliffordChance.com>; Sainati, Tatiana <TSainati@wileyrein.com>

Subject: RE: [EXT] Re: ICC Case No. 24343/HTG - NSC Investment, LLC and TGC/Korea Operating, LLC v/ POSCO Engineering & Construction Co., Ltd. [BKL.REF.33240]

Thanks. How about 10:30 a.m. tomorrow? Does that work?

From: Anthony.Candido@CliffordChance.com <Anthony.Candido@CliffordChance.com>

Sent: Tuesday, July 16, 2019 3:47 PM

To: Williams, Gregory <GWilliams@wileyrein.com>

Cc: Michael.Lightfoot@CliffordChance.com

Subject: RE: [EXT] Re: ICC Case No. 24343/HTG - NSC Investment, LLC and TGC/Korea Operating, LLC v/ POSCO Engineering & Construction Co., Ltd. [BKL.REF.33240]

Greg,

Hope your trip back from Africa went well. Is there a good time tomorrow to touch base on scheduling?

Best,

Tony

From: Williams, Gregory <GWilliams@wileyrein.com>

Sent: Tuesday, July 9, 2019 11:08 AM

To: Candido, Anthony (Litigation-NY) <Anthony.Candido@CliffordChance.com>

Cc: matthew.christensen@bkl.co.kr; Smith, Richard <rwsmith@wileyrein.com>; Sainati, Tatiana <TSainati@wileyrein.com>; Lightfoot, Michael (L&DR-NY) <Michael.Lightfoot@CliffordChance.com>; Fry, Jason (L&DR.Litigation & Arbitration-PAR) <Jason.Fry@CliffordChance.com>; Trikha, Sachin (L&DR-LON) <Sachin.Trikha@CliffordChance.com>; kevin.kim@bkl.co.kr; john.bang@bkl.co.kr; seokchun.yun@bkl.co.kr; woojae.kim@bkl.co.kr; eunkyung.yoo@bkl.co.kr; soyun.oh@bkl.co.kr; JSRYOO@bkl.co.kr

Subject: Re: [EXT] Re: ICC Case No. 24343/HTG - NSC Investment, LLC and TGC/Korea Operating, LLC v/ POSCO Engineering & Construction Co., Ltd. [BKL.REF.33240]

Thanks, Tony. That makes sense to me.

Regards,

Greg

On Jul 9, 2019, at 4:39 PM, Anthony.Candido@CliffordChance.com <Anthony.Candido@cliffordchance.com> wrote:

Greg,

Nice to meet you as well. Getting an extension for the conference makes sense to us. Should we discuss the details and scheduling when you get back?

Enjoy Africa!

Best,

Tony

From: Williams, Gregory <GWilliams@wileyrein.com>
Sent: Tuesday, July 9, 2019 10:03 AM
To: Matthew J. Christensen (BKL) <matthew.christensen@bkl.co.kr>
Cc: Smith, Richard <rwsmith@wileyrein.com>; Sainati, Tatiana <TSainati@wileyrein.com>; Candido, Anthony (Litigation-NY) <Anthony.Candido@CliffordChance.com>; Lightfoot, Michael (L&DR-NY) <Michael.Lightfoot@CliffordChance.com>; Fry, Jason (L&DR.Litigation & Arbitration-PAR) <Jason.Fry@CliffordChance.com>; Trikha, Sachin (L&DR-LON) <Sachin.Trikha@CliffordChance.com>; Kevin K. Kim (BKL) <kevin.kim@bkl.co.kr>; John P. Bang (BKL) <john.bang@bkl.co.kr>; Seokchun Yun (BKL) <seokchun.yun@bkl.co.kr>; Woojae Kim (BKL) <woojae.kim@bkl.co.kr>; Jennifer Eunkyung Yoo (BKL) <eunkyung.yoo@bkl.co.kr>; Soyun Sophie Oh (BKL) <soyun.oh@bkl.co.kr>; s_Jisu Ryoo (BKL) <JSRYOO@bkl.co.kr>
Subject: [EXT] Re: ICC Case No. 24343/HTG - NSC Investment, LLC and TGC/Korea Operating, LLC v/ POSCO Engineering & Construction Co., Ltd. [BKL.REF.33240]

Thanks, Matthew.

We will send you comments on the draft Terms of Reference and Procedural Order shortly. Please feel free to email your comments to us as well.

Tony and Michael, nice to meet you. The pretrial conference is currently set for the end of this month. We were intending to file a request for an extension today, but that was premised, in part, on service. We should discuss whether we should jointly seek an extension and a timetable for your response.

I am traveling in Africa this week, but am reachable by email.

Thanks,

Greg

On Jul 9, 2019, at 3:49 PM, Matthew J. Christensen (BKL) <matthew.christensen@bkl.co.kr> wrote:

Dear Greg,

Further to your email exchange with Kevin below, we have now taken instructions in regard to the SDNY action. POSCO E&C remains of the view that the dispute filed by Gale with the SDNY is not subject to arbitration. That said, we are instructed to inform you that POSCO E&C has decided to waive service of Gale's complaint and hopes to agree a timetable for its response without further delay.

To that end, I am copying POSCO E&C's counsel for the SDNY matter, Anthony Candido and Michael Lightfoot of Clifford Chance's New York office (contact details attached). Tony will reach out to you shortly to discuss next steps. We appreciate that you may have already commenced the service process, but trust that POSCO E&C's waiver of service will still be helpful in reducing time and cost to some extent.

On a separate issue, you will have seen that Dr. Moser has requested the parties' consolidated mark-up of the Tribunal's draft Terms of Reference and Procedural Order No. 1 by next Monday, 15 July 2019. If you have any comments or proposals that you want us to consider, please feel free to send them over. In view of the time difference, we were thinking that discussing by email might be most convenient but if you would prefer to set up a conference call in the next day or two, just let us know as we would be open to that approach as well.

We look forward to hearing from you.

With kind regards,

Matthew J. Christensen

Senior Foreign Attorney (Member of New York Bar)

T 82 2 3404 0227 M 82 10 2073 0227 F 82 2 3404 7306 E matthew.christensen@bkl.co.kr

<image001.png>

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-----Original Message-----

From: Williams, Gregory <GWilliams@wileyrein.com>

Sent: Friday, May 31, 2019 10:52 PM

To: Kevin K. Kim (BKL) <kevin.kim@BKL.co.kr>

Cc: Hazel.TANG@iccwbo.org; eugene.thong@iccwbo.org; icall@iccwbo.org; Smith, Richard <rwsmith@wileyrein.com>; Sainati, Tatiana <TSainati@wileyrein.com>; John P. Bang (BKL) <john.bang@BKL.co.kr>; Matthew J. Christensen (BKL) <matthew.christensen@BKL.co.kr>; Seokchun Yun (BKL) <seokchun.yun@BKL.co.kr>; Woojae Kim (BKL) <woojae.kim@bkl.co.kr>; Jennifer Eunkyung Yoo (BKL) <eunkyung.yoo@bkl.co.kr>; Grace Chung (BKL) <grace.chung@bkl.co.kr>; s_Jisu Ryoo (BKL) <JSRYOO@bkl.co.kr>

Subject: RE: ICC Case No. 24343/HTG - NSC Investment, LLC and TGC/Korea Operating, LLC v/ POSCO Engineering & Construction Co., Ltd. [BKL.REF.33240]

Kevin, thank you for your note. As it has been over one month since my initial request, we will proceed on the understanding that POSCO E&C is not agreeing to waive service or, at least at this point in time, willing to agree that all issues between the parties are subject to arbitration. We will proceed to serve POSCO in the SDNY action.

Best regards,

Greg

-----Original Message-----

From: Kevin K. Kim (BKL) <kevin.kim@BKL.co.kr>
Sent: Friday, May 31, 2019 9:32 AM
To: Williams, Gregory <GWilliams@wileyrein.com>
Cc: Hazel.TANG@iccwbo.org; eugene.thong@iccwbo.org; icall@iccwbo.org; Smith, Richard <rwsmith@wileyrein.com>; Sainati, Tatiana <TSainati@wileyrein.com>; John P. Bang (BKL) <john.bang@BKL.co.kr>; Matthew J. Christensen (BKL) <matthew.christensen@BKL.co.kr>; Seokchun Yun (BKL) <seokchun.yun@BKL.co.kr>; Woojae Kim (BKL) <woojae.kim@bkl.co.kr>; Jennifer Eunkyung Yoo (BKL) <eunkyung.yoo@bkl.co.kr>; Grace Chung (BKL) <grace.chung@bkl.co.kr>; s_Jisu Ryoo (BKL) <JSRYOO@bkl.co.kr>; Kevin K. Kim (BKL) <kevin.kim@BKL.co.kr>
Subject: RE: ICC Case No. 24343/HTG - NSC Investment, LLC and TGC/Korea Operating, LLC v/ POSCO Engineering & Construction Co., Ltd. [BKL.REF.33240]

Dear Greg,

Thank you for your message below. Notwithstanding the reference to waiting for service in para 149 of the Answer and Counterclaim, I can confirm that no decision has been made yet on the question of whether to waive service in relation to the SDNY action. At this time we are still taking instructions, but will provide a substantive response to your earlier proposal on that issue as soon as we are in position to do so.

With kind regards,
Kevin

Kap-You (Kevin) KIM
Senior Partner

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-----Original Message-----

From: Williams, Gregory <GWilliams@wileyrein.com>
Sent: Wednesday, May 29, 2019 12:06 PM
To: Kevin K. Kim (BKL) <kevin.kim@BKL.co.kr>
Cc: Hazel.TANG@iccwbo.org; eugene.thong@iccwbo.org; icall <icall@iccwbo.org>; Smith, Richard <rwsmith@wileyrein.com>; Sainati, Tatiana <TSainati@wileyrein.com>; John P. Bang (BKL) <john.bang@BKL.co.kr>; Matthew J. Christensen (BKL) <matthew.christensen@BKL.co.kr>; Seokchun Yun (BKL) <seokchun.yun@BKL.co.kr>; Woojae Kim (BKL) <woojae.kim@bkl.co.kr>; Jennifer Eunkyung Yoo (BKL) <eunkyung.yoo@bkl.co.kr>; Grace Chung (BKL) <grace.chung@bkl.co.kr>; s_Jisu Ryoo (BKL) <JSRYOO@bkl.co.kr>
Subject: Re: ICC Case No. 24343/HTG - NSC Investment, LLC and TGC/Korea Operating, LLC v/ POSCO Engineering & Construction Co., Ltd. [BKL.REF.33240]

Kevin, do I understand from POSCO's answer that you will not be waiting service in the SDNY case?

Regards,

Greg

> On May 9, 2019, at 8:04 PM, Kevin K. Kim (BKL) <kevin.kim@bkl.co.kr> wrote:

>

> Dear Mr. Williams,

>

> Thank you for your message below. I confirm safe receipt of your previous email and attachments. As you

will appreciate, we are currently reviewing the matter and taking instructions from our client but will revert to you with a substantive response as soon as we are in position to do so.

>

> With kind regards,

>

> Kevin Kim

>

> Kap-You (Kevin) KIM

> Senior Partner

>

>

>

>

> T 82 2 3404 0333 M 82 10 2021 002

4 F 82 2 3404 7306 E [kevin.kim@bkl.](mailto:kevin.kim@bkl.co.kr)

[co.kr](mailto:kevin.kim@bkl.co.kr)

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>

> -----Original Message-----

> From: Williams, Gregory <GWilliams@wileyrein.com>

> Sent: Tuesday, May 7, 2019 10:16 PM

> To: Kevin K. Kim (BKL) <kevin.kim@BKL.co.kr>; Hazel.TANG@iccwbo.org; eugene.thong@iccwbo.org

> Cc: ical1 <ical1@iccwbo.org>; Smith, Richard <rwsmith@wileyrein.com>; Sainati, Tatiana <TSainati@wileyrein.com>

in.com>; John P. Bang (BKL) <john.bang@BKL.co.kr>; Matthew J. Christensen (BKL) <matthew.christensen@BKL.co.kr>; Seokchun Yun (BKL) <seokchun.yun@BKL.co.kr>; Woojae Kim (BKL) <woojae.kim@bkl.co.kr>; Jennifer Eunkyung Yoo (BKL) <eunkyung.yoo@bkl.co.kr>; Grace Chung (BKL) <grace.chung@bkl.co.kr>; s_Jisu Ryoo (BKL) <JSRYOO@bkl.co.kr>

> Subject: Re: ICC Case No. 24343/HTG - NSC Investment, LLC and TGC/Korea Operating, LLC v/ POSCO Engineering & Construction Co., Ltd. [BKL.REF.33240]

>

> Mr. Kim, can you please confirm that you received my email and letter and please let me know by when you will be able to respond?

>

> Regards,

>

> Greg

>

>> On Apr 26, 2019, at 6:09 PM, Williams, Gregory <GWilliams@wileyrein.com> wrote:

>>

>> Dear Mr. Kim,

>>

>> Thank you for your letter. I acknowledge receipt thereof.

>>

>> Further, I wanted to alert you to the fact that we have filed a declaratory judgment action in the Southern District of New York. I have attached a courtesy copy of our complaint and attachments in that action, other than our ICC request for arbitration and exhibits, which is quite large and you already have. I can send the ICC request (Exhibit A) by secure send separately. If POSCO E&C is willing to waive service, we are amenable to agreeing to additional time for POSCO E&C to reply to the Complaint.

>>

>> Moreover, as you can see in the attached, we believe that all of the disputes between the parties are subject to arbitration. If POSCO E&C concurs, we can discuss dismissal of the SDNY action.

>>

>> Best regards,

>>

>> Gregory M. Williams

>>

>>

>> From: Kevin K. Kim (BKL) <kevin.kim@BKL.co.kr>

>> Sent: Friday, April 26, 2019 2:10 AM

>> To: Hazel.TANG@iccwbo.org; eugene.thong@iccwbo.org

>> Cc: 'icall' <icall@iccwbo.org>; Williams, Gregory <GWilliams@wileyrein.com>; Smith, Richard <rwsmith@wileyrein.com>; Sainati, Tatiana <TSainati@wileyrein.com>; Kevin K. Kim (BKL) <kevin.kim@BKL.co.kr>; John P. Bang (BKL) <john.bang@BKL.co.kr>; Matthew J. Christensen (BKL) <matthew.christensen@BKL.co.kr>; Seokchun Yun (BKL) <seokchun.yun@BKL.co.kr>; Woojae Kim (BKL) <woojae.kim@bkl.co.kr>; Jennifer Eunkyung Yoo (BKL) <eunkyung.yoo@bkl.co.kr>; Grace Chung (BKL) <grace.chung@bkl.co.kr>; s_Jisu Ryoo (BKL) <JSRYOO@bkl.co.kr>; Kevin K. Kim (BKL) <kevin.kim@BKL.co.kr>

>> Subject: ICC Case No. 24343/HTG - NSC Investment, LLC and TGC/Korea Operating, LLC v/ POSCO Engineering & Construction Co., Ltd. [BKL.REF.33240]

>>

>> Dear Counsel,

>>

>> On behalf of the Respondent in the above-captioned reference, we attach a letter for your attention.

>>

>> With kind regards,

>>

>> Kap-You (Kevin) KIM

>>

>> Senior Partner

>>

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<vcard (Michael Lightfoot).vcf>

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For details of how we process personal data, please see our updated [privacy statement](#).

[CC]Office1[/CC]